

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NORMAN MOLATCH,

Plaintiff,

-against-

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.
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JUDGMENT
04-CV- 2108 (NGG)

A Memorandum and Order of Honorable Nicholas G. Garaufis, United States District Judge, having been filed on July 20, 2005, granting plaintiff's motion; denying the Commissioner's motion; and remanding the case to the Commissioner to expressly consider whether the plaintiff should have been evaluated in the "advanced age" category at the time of the Administrative Law Judge's decision; it is

ORDERED and ADJUDGED that plaintiff's motion is granted; that the Commissioner's motion is denied; and that the case is remanded to the Commissioner to expressly consider whether the plaintiff should have been evaluated in the "advance age" category at the time of the Administrative Law Judge's decision.

Dated: Brooklyn, New York
July 21, 2005

ROBERT C. HEINEMANN
Clerk of Court